

FORM PTO-1350
(Rev 5-93)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

ZAHFRI P732US

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, use 37 C.F.R.1.5)

10/533866

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/EP2003/012478

November 8, 2003

November 16, 2002

TITLE OF INVENTION

HYDRODYNAMIC ACTUATING DEVICE FOR CONSTRUCTION MACHINES

APPLICANT(S) FOR DO/EO/US

Jürgen LEGNER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
 3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
 4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
 5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau. (PCT/IB/308 mailed **03 June 2004**).
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
 6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)), with original drawing, is attached.
 7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
 - d. ☒ have not been made and will not be made.
 8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
 9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern other document(s) or information included:**
11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98 with PTO/SB/08A/08B.
 12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
 13. ☒ A **FIRST** preliminary amendment w/1 amended drawing and 1 formal drawing..
 - ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
 14. ☐ A substitute specification w/Marked-Up Version of Amended Specification.
 15. ☐ A change of power of attorney and/or address letter.
 16. ☒ Other items or information:

<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Preliminary Examination Report <input checked="" type="checkbox"/> Annexes to Pre. Ex. Rep. <input checked="" type="checkbox"/> International Search Report <input checked="" type="checkbox"/> German Novelty Search Report <input checked="" type="checkbox"/> <u>13</u> copies of citations <input checked="" type="checkbox"/> Form PCT/IB/308 <input checked="" type="checkbox"/> International Publ. No. WO 2004/046587 A1 (Face page only) 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> Copy of Request <input type="checkbox"/> Submission of Formal Drawings <input type="checkbox"/> _____ sheets of formal drawings <input checked="" type="checkbox"/> Abstract <input type="checkbox"/> Applicant Claims Small Entity Status <input type="checkbox"/> Copy of Notification of File Missing Parts <input checked="" type="checkbox"/> German Language Specification
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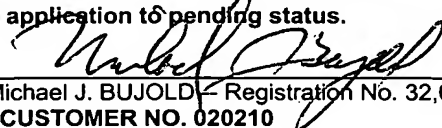
CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter and the papers indicated as being transmitted therewith is being deposited with the United States Postal Service on this date **May 5, 2005** in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EV 544788381 US** addressed to the: Mail Stop PCT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Michael J. BUJOLD

(typed or printed name of person mailing paper)

(signature of person mailing paper)

<p>17. ■ The following fees are submitted:</p> <p>Basic National Fee (37 CFR 1.492(a)(5): Search Report has been prepared by the EPO or JPO \$1000.00 International preliminary examination fee paid to USPTO (37 CFR 1.492)(a)(1) .. \$750.00 No international preliminary examination fee paid to USPTO (37 CFR 1.492)(a)(2) but international search fee paid to USPTO (37 CFR 1.445(a)(2)). \$790.00 Neither international preliminary examination fee (37 CFR 1.492)(a)(3) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$1,110.00 International preliminary examination fee paid to USPTO (37 CFR 1.492)(a)(4) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = 1000</p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). 0</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Claims</th> <th style="width: 15%;">Number Filed</th> <th style="width: 15%;">Number Extra</th> <th style="width: 15%;">Rate</th> <th style="width: 15%;">CALCULATIONS</th> <th style="width: 15%;">PTO USE ONLY</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>8 - 20 =</td> <td>0</td> <td>x \$ 50.00</td> <td>0</td> <td></td> </tr> <tr> <td>Independent Claims</td> <td>1 - 3 =</td> <td>0</td> <td>x \$200.00</td> <td>0</td> <td></td> </tr> <tr> <td colspan="3">Multiple dependent claim(s) (if applicable)</td> <td>+ \$360.00</td> <td>0</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL OF ABOVE CALCULATIONS =</td> <td>1000</td> <td></td> </tr> <tr> <td colspan="4">Reduction by 1/2 for filing by small entity, if applicable. Applicant Claims Small Entity Status. (Note 37 CFR 1.9, 1.27, 1.28).</td> <td>0</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL =</td> <td>1000</td> <td></td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +</td> <td>0</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL NATIONAL FEE =</td> <td>1000</td> <td></td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td> <td>0</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL FEES ENCLOSED =</td> <td>1000</td> <td></td> </tr> <tr> <td colspan="4" rowspan="2"></td> <td>Amount to be: refunded</td> <td>\$</td> </tr> <tr> <td>charged</td> <td>\$</td> </tr> </tbody> </table> <p>a. ■ A check in the amount of \$ <u>1,000.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>04-0213</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. ■ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>04-0213</u>. A duplicate copy of this sheet is enclosed.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <div style="text-align: center;">  Michael J. BUJOLD - Registration No. 32,018 CUSTOMER NO. 020210 Davis & Bujold, P.L.L.C. Fourth Floor 500 North Commercial Street Manchester, NH 03101-1151 Telephone (603) 624-9220 Telefax (603) 624-9229 </div>				Claims	Number Filed	Number Extra	Rate	CALCULATIONS	PTO USE ONLY	Total Claims	8 - 20 =	0	x \$ 50.00	0		Independent Claims	1 - 3 =	0	x \$200.00	0		Multiple dependent claim(s) (if applicable)			+ \$360.00	0		TOTAL OF ABOVE CALCULATIONS =				1000		Reduction by 1/2 for filing by small entity, if applicable. Applicant Claims Small Entity Status. (Note 37 CFR 1.9, 1.27, 1.28).				0		SUBTOTAL =				1000		Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +				0		TOTAL NATIONAL FEE =				1000		Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				0		TOTAL FEES ENCLOSED =				1000						Amount to be: refunded	\$	charged	\$
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10/533866

JC06 Rec'd PCT/PTO 05 MAY 2009

5/5/05

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Jürgen LEGNER
Serial no. :
For : HYDRODYNAMIC ACTUATING DEVICE FOR
CONSTRUCTION MACHINES
Docket : ZAHFRI P732US

MAIL STOP PCT

The Commissioner for Patents
U.S. Patent & Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

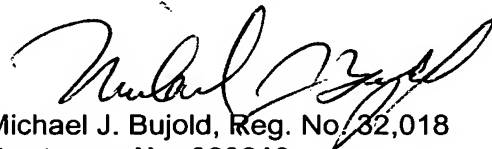
**SUBMISSION OF PROPOSED DRAWING AMENDMENT
FOR APPROVAL BY EXAMINER (37 CFR 1.123)
AND NEW FORMAL DRAWINGS**

Dear Sir:

Attached hereto please find a copy of Fig. 2 of the original drawings with red ink markings showing proposed changes to the drawing of this application for which the approval of the Examiner is requested. Also enclosed are new formal drawings including the requested amendments.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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